

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVANTE LINDSEY, a/k/a "Jizzlebuckz,"

Defendant.

No. S1-4:22-CR-0229-1 JAR JMB

STIPULATED FACTS

Comes now the United States of America, by and through Jennifer Szczucinski, Assistant United States Attorney and the Defendant, Davante Lindsey, by and through counsel Michael Jones and stipulate to the following facts in support of the Defendant's guilty plea to Counts One and Thirteen of the superseding indictment:

Beginning at a time unknown, but at least from September 30, 2021, and continuing through the date of the indictment (June 8, 2022), the Defendant knowingly joined with others to distribute fentanyl in the Eastern District of Missouri, and elsewhere. The Defendant, Andre Pearson, and others acquired fentanyl from various sources and then directed multiple individuals to prepare, package, and distribute fentanyl to drug users. At times, the Defendant operated cellular phones used in the DTO, sending "advertisement" text messages about fentanyl for sale and answering calls and text messages from drug users, directing them where to go to purchase fentanyl from others in the DTO. The Defendant, Andre Pearson, and others coordinated individuals to "work" at various locations to distribute fentanyl to drug users, ensured the DTO had sufficient quantities of fentanyl to sell at each location, collected proceeds from fentanyl sales, and paid individuals involved in the conspiracy. The Defendant and Andre Pearson also made arrangements

with drug users to permit members of the DTO to sell fentanyl out of the drug users' residences, in exchange for fentanyl and/or cash.

St. Louis Metropolitan Police Department ("SLMPD") detectives began investigating the DTO in September of 2021. Over the next several months, detectives utilized confidential sources to purchase fentanyl from the DTO and arrested multiple individuals shortly after those individuals purchased fentanyl from the DTO.

On October 6, 2021, detectives with the St. Louis Metropolitan Police Department ("SLMPD") executed a search warrant at an apartment rented to co-conspirator Tony Evans, located at 3764 Chippewa. During the execution of this search warrant, multiple firearms were located, as well as narcotics packaging equipment and approximately 2,000 capsules containing fentanyl and fentanyl powder.

On January 10, 2022, while investigating the DTO, SLMPD detectives executed a search warrant at a residence located at 3422 Klocke Avenue. During the execution of the search warrant a firearm, approximately 750 capsules containing fentanyl, and approximately \$950 was seized.

On January 18, 2022, while investigating the DTO, SLMPD detectives executed a search warrant at a residence located at 4522 Greer Avenue. Detectives seized a firearm, cash, and approximately 2,000 capsules containing fentanyl.

On February 17, 2022, SLMPD detectives were conducting electronic and physical surveillance of a DTO cellular phone. The DTO cellular phone was originally located at 2742 Park, a residence owned by the Defendant's significant other and where the Defendant frequently resided. The Defendant left the residence with the DTO cellular phone, driving a Chrysler 300 sedan. SLMPD officers conducted a traffic stop of the Defendant in a BJC Hospital parking garage.

The Defendant was in possession of the DTO cellular phone being surveilled by SLMPD, seven additional cellular phones, over \$8,000 in cash, and a Glock 20 10mm firearm.

On February 28, 2022, a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), investigating the DTO, contacted a phone number used by the DTO for fentanyl sales and spoke with Evans. Evans directed the agent to a residence located at 3324 South Compton Avenue. Once the agent arrived, the agent purchased 65 capsules containing fentanyl from co-conspirator Omar Lewis.

On March 2, 2022, an ATF agent investigating the DTO contacted a phone number used by the DTO for fentanyl sales and was directed to a residence located at 3326 Louisiana. Once the agent arrived, the agent purchased 66 capsules containing fentanyl.

On March 14, 2022, an ATF agent investigating the DTO contacted a phone number used by the DTO for fentanyl sales and Andre Pearson directed the agent to the residence located at 4669 Elmbank Avenue. Once the agent arrived, the agent purchased 99 capsules containing fentanyl from co-conspirator Araven Johnson.

On April 5, 2022, an ATF agent investigating the DTO contacted a phone number used by the DTO for fentanyl sales and Andre Pearson directed the agent to the residence located at 3324 South Compton Avenue. Once the agent arrived, the agent purchased 251 capsules containing fentanyl from Lewis.

On April 8, 2022, an ATF agent investigating the DTO contacted a phone number used by the DTO for fentanyl sales and was directed to the residence located at 3324 South Compton Avenue. Once the agent arrived, the agent purchased 252 capsules containing fentanyl from Lewis.

On April 19, 2022, ATF agents were conducting electronic and physical surveillance of a DTO phone number they had been using to purchase fentanyl from the DTO. During surveillance,

agents observed the Defendant, Pearson, and other members of the DTO were all gathered at a residence at 3926 Del Lago. On that date, two different agents contacted the DTO phone and both Pearson and the Defendant were observed answering the phone. One agent was directed by Pearson to the residence at 3324 South Compton Avenue. Once the agent arrived, the agent purchased 99 capsules containing fentanyl from Lewis. The other agent was directed by the Defendant to the residence at 3324 South Compton Avenue. Once the agent arrived, the agent purchased 33 capsules containing fentanyl from Lewis.

Electronic surveillance of a DTO cellular phone in March and April of 2022 placed the DTO phone in the Defendant's possession on multiple occasions, including at times when text messages advertising fentanyl sales were sent from the DTO phone.

On April 28, 2022, ATF agents executed a search warrant at 2742 Park Avenue. Located inside the residence was the Defendant, his significant other, the DTO cellular phone being surveilled by ATF agents, 10 additional cellular phones, over \$75,00 in cash, and four firearms. The Defendant was taken into custody on federal warrant for the fentanyl conspiracy.

On that same date, the Defendant contacted family members, including co-conspirator Birtha Lindsey via video call from the Jennings Jail. During these video calls, the Defendant directed Birtha Lindsey to transfer two DTO cellular telephone numbers to new cellular phones, as the cellular phones had been seized by ATF.

On May 4, an ATF agent purchased 44 capsules containing fentanyl from the DTO. On May 25, 2022, an ATF agent purchased 120 capsules containing fentanyl from the DTO.

All of the capsules containing fentanyl were submitted to and analyzed by an expert criminalist with the St. Louis Metropolitan Police Department Crime Laboratory. The suspected controlled substances were confirmed to be fentanyl, a schedule II controlled substance.

Respectfully submitted,

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